



CANNON BUILDING
861 SILVER LAKE BLVD., SUITE 203
DOVER, DELAWARE 19904-2467

STATE OF DELAWARE
BOARD OF MASSAGE AND BODYWORK

TELEPHONE: (302) 744-4500
FAX: (302) 739-2711
WEBSITE: DPR.DELAWARE.GOV
EMAIL: customerservice.dpr@state.de.us

PUBLIC MEETING MINUTES:	Board of Massage and Bodywork
MEETING DATE AND TIME:	Thursday, October 19, 2017 at 1:30 p.m.
PLACE:	861 Silver Lake Boulevard, Dover, Delaware Conference Room B , second floor Cannon Building
MINUTES APPROVED:	APPROVED November 16, 2017

MEMBERS PRESENT

Danielle DiFonzo, Professional Member, Vice President
Rachel Dunning, Public Member
Holly Overmyer, Professional Member
Sandra Jachimowski, Professional Member

MEMBERS ABSENT

DIVISION STAFF/DEPUTY ATTORNEY GENERAL/COURT REPORTER

Eileen Kelly, Deputy Attorney General
LaTonya Brown, Administrative Specialist II

OTHERS PRESENT

Spencer Dunkley
Joan Gennarini, LMT, Rekindled Spirit
Nancy Williams
Sharon Gamble, LMT

CALL TO ORDER

Ms. Jachimowski called the meeting to order at 2:00 pm.

NEW BUSINESS

Massage Establishment Regulation

The board reviewed the draft of Regulation 12.0 pertaining to massage establishments. The board went through the remainder subsections and discussed possible changes. The members of the public offered comments:

Joan Gennarini expressed her concerns regarding the intake forms; she mentioned that an intake form does not have to be done each time because of regular clients. Ms. Gennarini suggested intake forms be used on an “as needed basis”.

Sharon Gamble suggested that a sample of the intake forms should be provided and she requested clarification on soap notes.

Joan Gennarini read off the correspondence from the National AMTA representative. AMTA is suggesting that in section 12.6.7 where it states “Such garments shall not expose their genitals, pubic areas, buttocks or breasts”, should be stricken. AMTA stated that they are trained, licensed and educated professionals, and would like to be regulated in the same manner as other health care professionals and the above sentence does not need to be included in our regulations.

Ms. Jachimowski stated that this law is not after the licensed professionals that are following the law and doing what they are supposed to be doing.

Joan Gennarini read off the correspondence from Laura Embleton, the Director of ABMP. Ms. Embleton stated “Proposed rule 12.6.7 should be stricken as it is repetitive. Rule 11.1.11 already requires the following: “Be clean, fully-clothed and professional in dress and appearance.” And, again, the rules are for those who get establishment licenses and the overwhelming majority of these businesses, that are above board, are employing licensed and certified therapists and technicians who have been educated and vetted in order to get their licenses and certificates. They are already dressing professionally. The individuals and establishments you hope to regulate will not be regulated by these rules as they cannot get establishment licenses.”

Joan Gennarini read off the correspondence from Laura Embleton, the Director of ABMP. Ms. Embleton stated “Proposed Rule 12.7 regarding prohibition of sexual activity should be stricken. First, the establishments regulated here are already, overwhelmingly, following the rules and are not engaging in sexual activity. Second, this sexual activity is already prohibited in the Rules at 11.2.8 and 11.2.9.”

Joan Gennarini read off the correspondence from the National AMTA representative. AMTA is suggesting that Section 12.7 be regulated in the same manner as other health care professionals. These activities are illegal and are covered under criminal codes.

Joan Gennarini read off the correspondence from the National AMTA representative. AMTA is suggesting that for Section 12.9.1, that some notice be given because clients are often in a vulnerable state of undress and they do not want to have them interrupted during a session.

Joan Gennarini read off the correspondence from Laura Embleton, the Director of ABMP. Ms. Embleton stated “Regarding Inspections, regulated at proposed rule 12.9.1, we ask that some notice be given as clients may be in various stages of undress. In addition, for sole practitioners, it would be a hardship for both the practitioner and client, to leave a client in the middle of a session to work with the inspector.”

David Mangler stated several times that the inspectors will not interrupt the session. The inspectors do not walk into examination rooms, doctor offices, or chiropractic offices.

OTHER BUSINESS (for discussion only)

PUBLIC COMMENT

NEXT SCHEDULED MEETING

The next meeting is scheduled for November 16, 2017 at 1:30 p.m.

ADJOURNMENT

There being no further business before the Board, a motion was made by Ms. Dunning, seconded by Ms. DiFonzo to adjourn the meeting. The motion carried unanimously. The meeting went off record and adjourned at 3:33 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "LaTonya Brown".

LaTonya Brown
Administrative Specialist II